

## § 63.15

(c) The materials listed below are available for purchase from the American Petroleum Institute (API), 1220 L Street, NW., Washington, DC 20005.

(1) API Publication 2517, *Evaporative Loss from External Floating-Roof Tanks*, Third Edition, February 1989, IBR approved for § 63.111 of subpart G of this part.

(2) API Publication 2518, *Evaporative Loss from Fixed-roof Tanks*, Second Edition, October 1991, IBR approved for § 63.150(g)(3)(i)(C) of subpart G of this part.

(d) *State and Local Requirements*. The materials listed below are available at the Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW., Washington, DC.

(1) *California Regulatory Requirements Applicable to the Air Toxics Program*, April 6, 1998, IBR approved for § 63.99(a)(5)(ii) of subpart E of this part.

(2) [Reserved]

[59 FR 12430, Mar. 16, 1994, as amended at 59 FR 19453, Apr. 22, 1994; 59 FR 62589, Dec. 6, 1994; 60 FR 4963, Jan. 25, 1995; 60 FR 33122, June 27, 1995; 60 FR 45980, Sept. 1, 1995; 61 FR 25399, May 21, 1996; 61 FR 66227, Dec. 17, 1996; 62 FR 65024, Dec. 10, 1997; 63 FR 26465, May 13, 1998]

EFFECTIVE DATE NOTE: At 63 FR 26465, May 13, 1998, § 63.14, paragraph (d)(1) was revised, effective July 13, 1998. For the convenience of the user, the superseded text is set forth as follows:

### § 63.14 Incorporation by reference.

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(d) \* \* \*

(1) *California Regulatory Requirements Applicable to the Air Toxics Program*, August 1, 1997, IBR approved for § 63.99(a)(5)(ii) of subpart E of this part.

## § 63.15 Availability of information and confidentiality.

(a) *Availability of information*. (1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit

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is available to the public, consistent with protections recognized in section 503(e) of the Act.

(2) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) *Confidentiality*. (1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.

(2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.

## Subpart B—Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j)

SOURCE: 59 FR 26449, May 20, 1994, unless otherwise noted.

### § 63.40 Applicability of §§ 63.40 through 63.44.

(a) *Applicability*. The requirements of §§ 63.40 through 63.44 of this subpart carry out section 112(g)(2)(B) of the 1990 Amendments.

(b) *Overall requirements*. The requirements of §§ 63.40 through 63.44 of this subpart apply to any owner or operator who constructs or reconstructs a major source of hazardous air pollutants after the effective date of section 112(g)(2)(B) (as defined in § 63.41) and the effective date of a title V permit program in the State or local jurisdiction in which the major source is (or would be) located unless the major source in question has been specifically regulated or exempted from regulation under a standard issued pursuant to section 112(d), section 112(h), or section 112(j) and incorporated in another subpart of part 63, or the owner or operator of such major source has received all necessary air